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OFFICE OF PETITIONS

In re Application of
Subramanian et al.
Application No. 09939498
Attorney Docket No. 10519-30

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:DECISION GRANTING PTA LETTER
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This decision is in response to APPLICANTS' COMMUNICATION CONCERNING PATENT TERM ADJUSTMENT TIMELY¹ FILED ON February 16, 2006 requesting that the Office review the PTA determination to determine if the Office correctly determined the PTA.

Patentees' letter regarding PTA is **GRANTING**.

Applicants assert that the Office erred by attributing a 219-day delay to THE Office for the noncompliant amendment rather than to applicant.

Applicant's arguments are persuasive. The Office notes that the RCE submission was non-compliant and applicant not the Office should have received the delay. Accordingly, the adjustment will be made to the PTA determination.

After the mailing of this decision, the patented file will be forwarded to the Office of Patent publications for a prompt issuance of the patent. Any delays by the USPTO pursuant to 37 CFR 1.702(a) (4) or 1.702(b) will be added to the determination at the time of the issuance of the patent and will be reflected in the issue notification letter that is mailed to applicant approximately three weeks prior to the issue of the patent.

No fee is required for this letter of good faith and candor.

Any questions concerning this decision should be directed to Kery A. Fries, Senior Legal Advisor, at 571-272-7757.

Kery A. Fries
Kery A. Fries
Senior Legal Advisor
Office of Patent Legal Administration
Office of Deputy Commissioner
for Patent Examination Policy

cc: PTA determination

¹Issue fee paid on February 16, 2006.

Day : Monday
Date: 11/27/2006

Time: 14:17:43

PALM INTRANET**PTA Calculations for Application: 09/939498**

Application Filing Date:	08/24/2001	PTO Delay (PTO):	219
Issue Date of Patent:		Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	444
Post-Issue Petitions:	0	Total PTA (days):	0
PTO Delay Adjustment:	-438		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
73	11/27/2006	ADJUSTMENT OF PTA CALCULATION BY PTO		219	
72	11/27/2006	ADJUSTMENT OF PTA CALCULATION BY PTO		219	
61	12/30/2005	MAIL NOTICE OF ALLOWANCE			
60	12/27/2005	ISSUE REVISION COMPLETED			
59	12/27/2005	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
58	12/27/2005	CASE DOCKETED TO EXAMINER IN GAU			
57	12/27/2005	NOTICE OF ALLOWABILITY			
56	10/18/2005	DATE FORWARDED TO EXAMINER			
55	10/11/2005	RESPONSE TO ELECTION / RESTRICTION FILED			
54	09/29/2005	MAIL RESTRICTION REQUIREMENT			
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46	01/13/2005	NON-FINAL REJECTION			
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		RCE AMENDMENT.		
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27	10/17/2003	AMENDMENT AFTER FINAL REJECTION		
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13	08/19/2002	RESPONSE TO ELECTION / RESTRICTION FILED		
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11	07/13/2002	REQUIREMENT FOR RESTRICTION / ELECTION			
10	06/21/2002	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
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8	08/24/2001	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
7	08/24/2001	PRELIMINARY AMENDMENT			
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5	11/15/2001	CASE DOCKETED TO EXAMINER IN GAU			
4	10/10/2001	APPLICATION DISPATCHED FROM OIPE			
3	10/05/2001	CORRESPONDENCE ADDRESS CHANGE			
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EXPLANATION OF PTA CALCULATION

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